

3764



PATENT
Appl. Ser. No. 10/055,849
Communication Under 37 C.F.R. §1.178(b)
Page 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#1/55
10-6-03

Appl. No. : 10/055,849
Applicant : N.P. Van Brunt et al.
Filed : January 14, 2002
Title : OSCILLATORY CHEST COMPRESSION DEVICE

TC/A.U. : 3764
Examiner : D. D. DeMille

RECEIVED
MAY 20 2003
TECHNOLOGY CENTER R3700

Docket No. : 12653/13

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION REGARDING LITIGATION
PURSUANT TO 37 C.F.R. §1.178(b) AND MPEP §1442.04

Sir:

The following pleadings entered in Advanced Respiratory, Inc. v. Electromed, Inc., Case No. 00-2646 DWF/SRN, United States District Court District of Minnesota is relevant to the above-captioned patent application and is enclosed as follows:

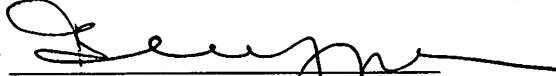
Exhibit 1: Memorandum Opinion and Order entered on May 8, 2003 granting summary judgment of the validity of U. S. Pat. No. 6,036,662 (the patent which is the subject of the present reissue application) among other issues. The Examiner's attention is directed to pages 18-19 regarding the full order.

Exhibit 2: Notice of Jury Trial Set For July 8, 2003 entered on May 7, 2003.

Dated: 05/09/03

Respectfully submitted,

OPPENHEIMER WOLFF & DONNELLY LLP

By 

Barbara A. Wrigley, Reg. No. 34,950
Plaza VII, Suite 3300
45 South Seventh Street
Minneapolis, MN 55402-1609
Telephone: (612) 607-7000
Facsimile: (612) 607-7100